

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOYCE PARKS,

Plaintiff,

-against-

NYC ADMINISTRATION FOR CHILDREN'S  
SERVICES,

Defendant.

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Defendant New York City Administration for Children's Services ("ACS" or "defendant"), by its attorney, Michael A. Cardozo, Corporation Counsel of the City of New York, for its Answer to the Complaint, respectfully alleges as follows:

1. Denies the allegations set forth in the unnumbered paragraph on page one of the Complaint, except admits that plaintiff purports to proceed as set forth therein.
2. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph "I" sub section "A" of the Complaint.
3. Denies the allegations set forth in paragraph "I" sub section "B" of the Complaint, except admits that the defendant has offices located at 150 William Street, New York, New York and that plaintiff purports to proceed as set forth therein.
4. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph "I" sub section "C" of the Complaint.
5. Denies the allegations set forth in paragraph "II" sub section "A" of the Complaint.

6. Denies the allegations set forth in paragraph "II" sub section "B" of the Complaint.

7. Denies the allegations set forth in paragraph "II" sub section "C" of the Complaint except admits that defendant is not committing acts of discrimination alleged by plaintiff in her complaint.

8. Denies the allegations set forth in paragraph "II" sub section "D" of the Complaint.

9. Denies the allegations set forth in paragraph "II" sub section "E" of the Complaint, except admit that plaintiff was terminated from her position as a provisional Child Protective Specialist in- March 2007.

10. Denies the allegations set forth in paragraph "III" sub section "A" of the Complaint, except admits, upon information and belief, that a charge of discrimination was filed by plaintiff or on her behalf with the Equal Employment Opportunity Commission ("EEOC").

11. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph "III" sub section "B" of the Complaint, except admits, upon information and belief, that the EEOC issued plaintiff a right to sue letter.

12. Paragraph "IV" of the Complaint sets forth plaintiff's claim for relief and does not require a response. To the extent a response is required, denies the allegations set forth in paragraph "IV" of the Complaint, except admits that plaintiff purports to proceed as set forth therein.

**FOR A FIRST DEFENSE:**

13. The Complaint fails to state a claim upon which relief can be granted in whole or in part.

**FOR A SECOND DEFENSE:**

14. Any claims of discrimination in the complaint under Title VII or the under the ADA which accrued more than 300 days prior to plaintiff's filing of her charge of discrimination with the EEOC are time-barred.

**FOR A THIRD DEFENSE:**

15. Any Title VII or ADA claims contained in the federal complaint which were not also contained in plaintiff's charge of discrimination filed with the EEOC must be dismissed for failure to exhaust administrative remedies.

**FOR A FOURTH DEFENSE:**

16. Defendant had legitimate business reasons for taking any of the alleged discriminatory acts complained of by plaintiff.

**FOR A FIFTH DEFENSE:**

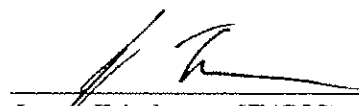
17. Upon information and belief, the damage claims contained in the Complaint are barred, in whole or in part, by plaintiff's failure to mitigate damages.

**WHEREFORE**, defendant respectfully requests that this Court enter an order dismissing the Complaint in its entirety, denying all relief requested therein, entering judgment for defendant and granting defendant such other and further relief as the Court deems just and proper.

Dated: New York, New York  
February 14, 2008

**MICHAEL A. CARDOZO**  
Corporation Counsel of the  
City of New York  
Attorney for Defendant  
100 Church Street, Room 2-143  
New York, New York 10007  
(212) 788-1328

By: \_\_\_\_\_

  
Jason Friedman (JF4755)  
Assistant Corporation Counsel  
jfriedma@law.nyc.gov

To: Joyce Parks  
Plaintiff Pro Se  
101-125 West 147<sup>th</sup> Street, #4G  
New York, New York 10039  
(646) 234-7884

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOYCE PARKS,

Plaintiff,

07 CV 10571 (LAK)(AJP)

-against-

NYC ADMINISTRATION FOR CHILDREN'S  
SERVICES,

Defendant.


----- x

**CERTIFICATE OF SERVICE**

I, **JASON FRIEDMAN**, hereby certify that, on February 14, 2008, caused a true and correct copy of the foregoing ANSWER to be served by regular mail on the plaintiff pro se at the following address:

Joyce Parks  
101-125 West 147<sup>th</sup> Street, #4G  
New York, New York 10039

Dated: New York, New York  
February 14, 2008

  
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Jason Friedman (JF4755)  
Assistant Corporation Counsel

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|--|------------|
| Docket No. 07 CV 10571 (LAK)(AJP)  |            |
| UNITED STATES DISTRICT COURT<br>SOUTHERN DISTRICT OF NEW YORK  |            |
| JOYCE PARKS,   | Plaintiff, |
| -against-  |            |
| NYC ADMINISTRATION FOR CHILDREN'S<br>SERVICES,   | Defendant. |
| ANSWER   |            |
| <b>MICHAEL A. CARDOZO</b><br><i>Corporation Counsel of the City of New York</i><br><i>Attorney for Defendant</i><br><i>100 Church Street, Rm 2-143</i><br><i>New York, N.Y. 10007-2601</i><br><br><i>Of Counsel: Jason Friedman</i><br><i>Tel: (212) 788-1328</i><br><i>Matter No. 2007-023876</i> |            |
| <i>Due and timely service is hereby admitted.</i>  |            |
| <i>New York, N.Y. ...., 200 ...</i><br><i>.....</i><br><i>Attorney for.....</i>  |            |